

No. 1386-4Lab-74/6677.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and the management of M/s Escorts Ltd., Plant No. I, Faridabad: —

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 137 of 1972

between

SHRI PREM NATH AND THE MANAGEMENT OF M/S ESCORTS LTD., PLANT NO. 1,
FARIDABAD

Present: —

Shri Prem Nath, workman.

Shri K. K. Khuller, for the management.

AWARD

By order No. 1D/FD/72/11929-33, dated 10th April, 1972 of the Governor of Haryana, the following dispute between the management of M/s Escorts Ltd., Plant No. 1, Faridabad and its workman Shri Prem Nath was referred for adjudication to this court, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

“Whether the termination of services of Shri Prem Nath was justified and in order? If not, to what relief is he entitled?”

The parties put in their pleadings giving rise to the following three issues.

1. Whether Shri Prem Nath was a workman of M/s Escorts Ltd., Plant No. 1, Faridabad?
2. Whether Shri Prem Nath had first raised a demand in question on the management and the same had been rejected before the matter was taken up for conciliation? If not, with what effect?
3. If issue Nos. 1 and 2 are proved in favour of the workman whether the termination of services of Shri Prem Nath was justified and in order? If not, to what relief is he entitled?

Some evidence has been led on behalf of the workman concerned who has made his own statement besides producing his identity card Ex. W. 1. The case was fixed for the evidence of the management.

No further proceedings are, however, necessary in the case as an amicable settlement has been brought about between the parties outside the court and the workman concerned does not seek any relief in the present reference, as per his own statement.

In view of the above a no dispute award is given holding that the workman is not entitled to any relief in the present reference. In the circumstances, there shall be no order as to costs.

Dated 20th January, 1975.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 223, dated 28th January, 1975.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 880-4 Lab-74/6678.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workmen and the management of M/s Shayam Narain Gupta Contractor, East India Transformer and Switch Gear (P) Ltd., 16/5, Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

Reference No. 159 of 1974

between

SHRI HARISH CHANDER WORKMAN AND THE MANAGEMENT OF M/S. SHAYAM NARAIN GUPTA CONTRACTOR, EAST INDIA TRANSFORMER AND SWITCH GEAR (P) LTD, 16/5, FARIDABAD

Present—

Shri B. M. Gupta, for the workman.

Shri A. K. Bhatia, for the management.

AWARD

By order No. ID/FD/74/35512, dated 17th October, 1974, of the Governor of Haryana, the following dispute between M/s Shayam Narain Gupta Contractor, East India Transformer and Switch Gear (P) Ltd. 16/5, Faridabad and the workman Shri Harish Chander was referred for adjudication to this Tribunal in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Whether the termination of services of Shri Harish Chander was justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference the parties were called upon to put in their pleadings. The workman concerned has not turned up nor has he filed any statement of claim. On the other hand, the management has placed on record his resignation, dated 13th September, 1974 Ex. M-1 whereby he requested for the clearance of his account and the voucher of payment dated 18th September, 1974 Ex. M-2 whereby the amount found due, as per mutual calculation, was paid to him. Shri A. K. Bhatia Time Keeper of the concern has sworn testimony to the genuineness of the above plea and the correctness of the documents Ex. M-1 and M-2 which were signed by the workman concerned in his presence. Shri B. M. Gupta who represents the workman has stated that he has no instruction, to dispute the said settlement.

In view of the above, no further proceedings are called for and a no-dispute award is given in the terms of the above settlement holding that Shri Harish Chander workman concerned is not entitled to any other relief. In the circumstances, there shall be no order as to costs.

Dated 7th January, 1975.

O. P. SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 44, dated 13th January, 1975

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated 13th January, 1975.

O. P. SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 875-4Lab-74/6679.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workmen and the management of M/s Chesko India Chartered Engineer and Cinkers Co. 1E/HP-18, Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

Reference Nos. 139 of 1974 and No. 136 of 1974

between

THE WORKMAN SHRI SHAMSHER ALI AND THE MANAGEMENT OF M/S CHESKO INDIA CHARTERED ENGINEER AND CINKERS COMPANY, 1E/HP-18, FARIDABAD.

Present.—

Nemo, for the workmen.

Shri R. C. Sharma, for the management.

AWARD

By order No. ID/FD/856-B-74/32763, dated 19th September, 1974 of the Governor of Haryana. The following dispute between the management of M/s Chesko India Chartered Engineer and Cinkers Company 1E/HP-18, Faridabad and its workmen Shri Shamsher Ali was referred for adjudication to this Tribunal in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Shamsher Ali was justified and in order ? If not, to what relief is he entitled ?

The parties put in their respective pleadings. The workmen concerned reiterated his claim for reinstatement and payment of back wages with the allegations that his services had been illegally terminated. The management on the other hand, pleaded that as a matter of fact, he had voluntarily resigned service and as such his case was not covered by section 2-A of the Industrial Disputes Act, 1947. The workmen was required to put in his replication. No replication has been filed. He has further elected not to appear in person or through authorised representative to pursue his claim.

Statement of Shri R. C. Sharma, authorised representative of the management has been recorded. He has proved the resignation of the workman Ex. M-1 which according to him is in his hand and signed by him. He has further stated that the resignation was duly accepted by the management. There is apparently no reason to disbelieve the plea of the management especially when the workman concerned has chosen not to appear and pursue his claim.

In view of the above, no further proceedings are called for. This being a case of self-resignation by the workman concerned is apparently not covered by section 2-A of the Industrial Disputes Act, and that being so, the reference itself is invalid. He is not entitled to any relief by way of reinstatement. He is, however, at liberty to collect his unpaid dues, if any, from the management on any working day during working hours, as stated by Shri R. C. Sharma. The award is made accordingly. There shall, however, be no order as to costs.

Dated the 7th January, 1975.

O. P. SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 40, dated 13th January, 1975.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated 13th January, 1975.

O. P. SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

The 10th March, 1975

No. 1385-4Lab-74/6682.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Arial Brothers, 14/4, Mathura Road, Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 170 of 1971

between

SHRI JHIGURI AND THE MANAGEMENT OF M/S ARIAL BROTHERS, 14/4, MATHURA
ROAD, FARIDABAD

Present :—

Shri Ram Gopal, for the management.
Shri Jhiguri, workman.

AWARD

Shri Jhiguri, workman concerned was in service of M/s Arial Brothers, 14/4, Mathura Road, Faridabad as a Helper. His services were terminated on 21st April, 1971. This gave rise to an industrial dispute. He gave the demand notice, dated 22nd April, 1971 whereupon conciliation proceedings were started which, however, ended in failure.

On receipt of the failure report from the Conciliation Officer, the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (i) of Section 10 of the Industrial Disputes Act, 1947 referred the dispute for adjudication to this court,—*vide* order No. ID/FD/160D//26991-95, dated 1st September, 1971, with the following term of reference.

“Whether the termination of services of Shri Jhiguri was justified and in order ? If not, to what relief is he entitled ?”

The parties put in their respective pleadings. It is, however not necessary to go into the merits of the case and the issues involved as an amicable settlement has been arrived at between the parties. Their statements have been recorded.

As stated on both sides, Shri Jhiguri, the workman concerned has received payment of his dues from the management, in full and final settlement of his entire claims, and has given up his right of reinstatement or re-employment as he has been gainfully employed in some other concern.

In view of the above, a no dispute award is given holding that the workman concerned is not entitled to any other relief in the case. There shall, however, be no order as to costs.

Dated 21st January, 1975.

O. P. SHARMA,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 222, dated 28th January, 1975

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes, Act, 1947.

O. P. SHARMA,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 1383-4Lab-74/6683.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s American Universal Electric (India), Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 209 of 1972

between

SHRI RAM PHOOL AND THE MANAGEMENT OF M/S AMERICAN UNIVERISAL ELECTRIC
(INDIA) LTD., FARIDABAD

Present :—

Shri Darshan Singh, for the workman.
Shri S. L. Gupta, for the management.

AWARD

By order No. ID/FD/72/32425—29, dated 23rd August, 1972, of the Governor of Haryana, the following dispute between the management of M/s American Universal Electric (India) Ltd., Faridabad and its workman Shri Ram Phool was referred for adjudication to this court, in exercise of the powers conferred by clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947.

“Whether the termination of services of Shri Ram Phool was justified and in order ? If not, to what relief is he entitled ?”

The parties put in their respective pleadings giving rise to the following three issues :—

1. Whether the demand the subject matter of the present reference was first raised on the management and rejected by it before taking up the matter for conciliation? If not, to what effect?
2. Whether it is case of self-abandonment of service by the workman and is not covered by section 2-A of the Industrial Disputes Act, 1947?
3. Whether the termination of services of Shri Ram Phool was justified and in order? If not, to what relief is he entitled?

The workman concerned has led some evidence by making his own statement besides producing some documents. The management had yet to lead its evidence. It is, however, not necessary to go in to the merits of the case and the issues involved as the parties have arrived at an amicable settlement. Their statement has been recorded. The management has paid R. 2,000 to the workman concerned today before the court, in full and final settlement of his entire claims including wages, gratuity, bonus, etc., and he has forgone his right of reinstatement or re-employment.

There is thus no dispute left between the parties and a no-dispute award is given, in terms of the above settlement, holding that the workman concerned is not entitled to any other relief by way of reinstatement etc. There shall be no order as to costs.

O. P. SHARMA,

Presiding Officer,
Labour Court, Haryana,

Rohtak.

No. 220, dated 28th January, 1975

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

The 6th March, 1975

No. 1095-4Lab-74/6685.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s National Laboratories, 20 Mathura Road, Faridabad.

BEFORE SHRI O.P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA,
FARIDABAD

Reference No. 181 of 1974

between

SHRI RADHEY SHAYAM, WORKMAN AND THE MANAGEMENT OF M/S NATIONAL
LABORATORIES, 20, MATHURA ROAD, FARIDABAD

Present :—

Nemo, for the workman.

Shri K. P. Aggarwal, for the management.

AWARD

By order No. ID/FD/74/37660, dated 19th November, 1974 of the Governor of Haryana, the following dispute between the management of M/s National Laboratories, Mathura Road, Faridabad and its workman Shri Radhey Shayam was referred for adjudication to this Tribunal, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Whether the termination of services of Shri Radhey Shayam was justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference, usual notices were given to the parties. The workman concerned has not filed any statement of claim and he has further elected not to appear in person or through authorised representative in spite of due service and two adjournments granted in the case. It has been stated on behalf of the management that, as a matter of fact, it is a case of self-abandonment of service by the workman. Statement of K. P. Aggarwal, authorised representative of the management has been recorded.

According to Shri K. P. Aggarwal, this workman left service of his own accord and is not interested in the job in this Company because he has joined service somewhere else. There is apparently no reason to disbelieve the sworn testimony of Shri Aggarwal and on the facts brought on record, I am of the considered view that it is in fact a case of self-abandonment of service by the workman concerned who has allegedly joined service in some other concern and as such he is not entitled to any other relief by way of reinstatement or payment of back dues. The award is made accordingly but without any order as to cost.

Dated the 21st January, 1975.

O. P. SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 69, dated the 21st January, 1975

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 21st January, 1975.

O. P. SHARMA,

Presiding Officer
Industrial Tribunal, Haryana,
Faridabad.

No. 1693-4Lab-74/6686.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s National Laboratories, 20 Mathura Road, Faridabad.

BEFORE SHRI O.P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA.
FARIDABAD

Reference No. 182 of 1974

between

SHRI SHER SINGH, WORKMAN AND THE MANAGEMENT OF M/S NATIONAL LABORATORIES, 20 MATHURA ROAD, FARIDABAD

Present :—

Nemo, for the workman.

Shri K. P. Aggarwal, for the management.

AWARD

By order No. ID/FD/74/37642, dated 19th November, 1974 of the Governor of Haryana, the following dispute between the management of M/s National Laboratories, Mathura Road, Faridabad and its workman Shri Sher Singh was referred for adjudication to this Tribunal, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Whether the termination of services of Shri Sher Singh was justified and in order ? If not, to what relief is he entitled ?

On receipt of the order of reference, usual notices were given to the parties. The workman concerned has not filed any statement of claim and he has further elected not to appear in person

or through authorised representative in spite of due service and two adjournments granted in the case. It has been stated on behalf of the management that, as a matter of fact, it is a case of self-abandonment of service by the workman. Statement of Shri K. P. Aggarwal, authorised representative of the management, has been recorded.

According to Shri K. P. Aggarwal, this workman had left service of his own accord and is not interested in the job in this Company because he has joined service some where else. There is apparently no reason to disbelieve the sworn testimony of Shri Aggarwal and, on the facts brought on record, I am of the considered view that it is in fact a case of self-abandonment of service by the workman concerned who has allegedly joined service in some other concern and as such he is not entitled to any other relief by way of reinstatement or payment of back dues. The award is made accordingly but without any order as to costs.

O.P. SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Dated the 21st January, 1975

No. 68, dated the 21st January, 1975.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana.
Faridabad.

Dated the 21st January, 1975

M. SETH, Com. & Secy.,

राजस्व विभाग

युद्ध जागीर

दिनांक 10/11 मार्च, 1975

क्रमांक 2656-ज(1)-74/6072.—हरियाणा के राज्यपाल आदेश देते हैं कि श्री लखी राम, पुत्र खियाली राम, गांव फतेहगढ़, तहसील चरखी दादरी, जिला महेन्द्रगढ़ (अंत्र भिवानी) के नाम जो वार जागीर हरियाणा सरकार की अधिसूचना क्रमांक 5179-प्रार-IV-67/3495, दिनांक 29 सितम्बर, 1967, द्वारा खरीफ, 1964 से 100 रुपये वार्षिक दर से प्रदान की गई थी, मन्सूख की जाती है, क्योंकि सरकार को विश्वस्त रूप से पता चला है कि उसे गलत सूचना के आधार पर जागीर मंजूर हो गई थी।

2. हरियाणा के राज्यपाल यह भी आदेश देते हैं, कि श्री लखी राम को दिए गए जागीर अनुदान की वसूली उसके वारसों से कर ली जाए।

स. दे. भास्मरी, वित्तायुक्त तथा सचिव।

दिनांक 6 मार्च, 1975

क्रमांक 101-ज(II)-75/5812—पूर्वी पंजाब युद्ध पुरस्कार अधिनियम, 1948 (जैसा कि उसे हरियाणा राज्य में अपनाया गया है और उसमें आज तक संशोधन किया गया है) के भारा 2(ए)(1ए) तथा 3(1ए) के अनुसार सौंपे गए

अधिकारों का प्रयोग करते हुए हरियाणा के राज्यपाल निम्नलिखित व्यक्तियों को वार्षिक कीमत वाली युद्ध जागीर उनके सामने दी गई फसल तथा राशि एवं सनद में दी गई शर्तों के अनुसार सहर्ष प्रदान करते हैं :—

क्रमांक	जिला	जागीर पाने वाले का नाम	गांव व पता	तहसील	फसल/वर्ष जब से जागीर दी गई	वार्षिक राशि
1	रोहतक	श्रीमती नानटी देवी, विधवा श्री सुन्दा राम	जाहवाडा	झज्जर	रबी, 1969 से रबी, 1970 तक	रुपये 100
2	„	श्रीमती सिरयां देवी, विधवा श्री बखतावर सिंह	खेड़ी आसरा	„	खरीफ, 1970 से रबी, 1969 से रबी, 1970 तक	150 100
3	„	श्री हरद्वारी लाल, पुत्र श्री शिव नारायण	रतनथल	„	रबी, 1969 से रबी, 1970 तक	100
4	„	श्री रिष्टपाल सिंह, पुत्र श्री चन्दगी राम	डीघल	„	खरीफ, 1970 से	150
5	„	श्री रघुवीर सिंह, पुत्र श्री बलवन्त सिंह	डीघल	„	रबी, 1973 से	150
6	„	श्री धन राम, पुत्र श्री घडश्याम	दुवलधन माजरा	„	रबी, 1973 से	150
7	„	श्री चन्दगी राम, पुत्र श्री शंकर	वाहला	„	रबी, 1973 से	150
8	„	श्री हरके राम, पुत्र श्री श्योनाथ	डीघल	„	रबी, 1973 से	150

दिनांक 6/7 मार्च, 1975

क्रमांक 2951-ज(II)-75/5816.—पूर्वी पंजाब युद्ध पुरस्कार अधिनियम, 1948 (जैसा कि उसे हारियाणा राज्य में अपनाया गया है और उसमें आज तक संशोधन किया गया है) को धारा 2 (ए) (1ए) तथा 3(1ए) के अनुसार सौंपे गये अधिकारों का प्रयोग करते हुए हरियाणा के राज्यपाल निम्नलिखित व्यक्तियों को वार्षिक कीमत वाली युद्ध जागीर उनके सामने दी फसल तथा राशि एवं सनद में दी गई शर्तों के अनुसार सहर्ष प्रदान करते हैं :—

क्रमांक	जिला	जागीर पाने वाले का नाम	गांव व पता	तहसील	फसल/वर्ष जब से जागीर दी गई	वार्षिक राशि
1	2	3	4	5	6	7
1	करनाल	श्रीमती सरस्वती देवी, विधवा श्री केसर दास	रूप, नगर कालौनी, सदर बाजार, करनाल	करनाल	खरीफ, 1965 मे रबी, 1970 तक	रुपये 100
2	„	श्री मांसे राम, पुत्र श्री जोती राम	बेसरी	पानीपत	खरीफ, 1970 से रबी, 1965 से रबी, 1970 तक	150 100
3	„	श्री पहलाद सिंह, पुत्र श्री मंगत राम	बिंझोल	„	रबी, 1973 से	150